

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 09- 305
v.	:	DATE FILED: May 5, 2009
FREDRICK CLINKSCALES	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1), (b)(1)(A)
	:	(possession with intent to distribute
	:	cocaine base (“crack”) - 1 count)
	:	21 U.S.C. § 860(a) (possession with intent
	:	to distribute cocaine base (“crack”)
	:	within 1,000 feet of a school - 1 count)
	:	18 U.S.C. § 924(c)(1) (using and carrying
	:	a firearm during and in relation to a drug
	:	trafficking crime - 1 count)
	:	18 U.S.C. § 922(g)(1) (possession of a
	:	firearm by a convicted felon - 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about February 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FREDRICK CLINKSCALES

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FREDRICK CLINKSCALES

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within 1,000 feet of the real property comprising the James J. Sullivan School, an elementary school, located at 5300 Ditman Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

_____ In violation of Title 21, United States Code, Section 860(a).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FREDRICK CLINKSCALES

knowingly used and carried a firearm, that is, a Taurus .45-caliber pistol, model PT-145 Millennium, serial number NVI77083, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FREDRICK CLINKSCALES,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Taurus .45-caliber pistol, model PT-145 Millennium, serial number NVI77083.

In violation of Title 18, United States Code, Sections 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Sections 922(g)(1) and 924(c), as set forth in this indictment, defendant

FREDRICK CLINKSCALES

shall forfeit to the United States of America the firearm involved in the commission of such offenses, including, but not limited to a Taurus .45-caliber pistol, model PT-145 Millenium, serial number NVI77083.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
United States Attorney